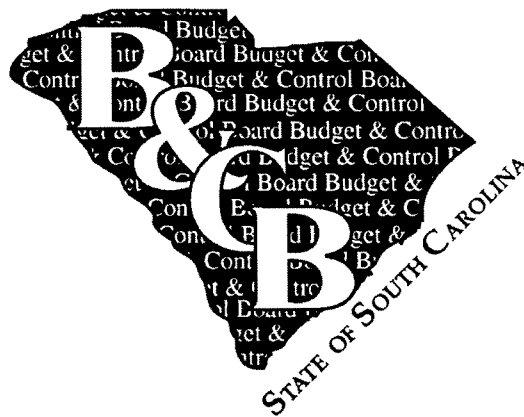


May 16, 2003

State Government News Summary



**Prepared by the Budget and Control Board
Office of the Executive Director**



Posted on Fri, May. 16, 2003

DMV reform plan unveiled

Proposals include using Internet, Saturday hours at regional offices

By AARON SHEININ
Staff Writer

Lengthy visits to the DMV- or any visit at all - could be a thing of the past as early as this summer under a series of reforms announced Thursday by Gov. Mark Sanford.

The changes at the Division of Motor Vehicles include creation of an Internet-based system for license renewal, address changes and other ordinary transactions that often result in long waits in line at DMV offices.

The DMV features "great people, but a flawed system," Sanford said. "This is about changing those systems."

In addition to the Web-based resources, the reforms include:

- Saturday office hours this summer at six regional offices around the state, including one in the Irmo/Ballentine area. Officials said the main Columbia office, on Shop Road, is too expensive to keep open on Saturday.
- "Greeters" in 39 busiest offices to help customers find the right line and make sure they have the right forms.
- Removal of all telephones from counters in DMV offices so clerks are not interrupted while helping customers.
- Computers in those same 39 offices for customers to access the new Internet services.

At the DMV office on Shop Road in Columbia, where lines were short around 4 p.m. Thursday, Fred Schofield, 35, of Wagener, was waiting with his son while he got his license reinstated.

"Being open on Saturday is a real good idea," he said. "Even a couple hours on Saturdays would help a lot."

Ben Bomar, 28, a recent graduate of USC's business school, said he thinks the online services are a nice benefit in addition to the Saturday hours.

"It definitely makes sense," said Bomar, who was waiting in line to renew his registration.

The reforms are the result of work by a DMV task force Sanford appointed early this year. The changes complement other reforms included in a bill before the Senate that would remove DMV from the Department of Public Safety and put it directly under the governor's office.

None of the changes announced Thursday would happen unless that bill, which has passed the House,

becomes law. State Sen. Greg Ryberg, R-Aiken, plans to amend the bill to include a new \$5 fee for registering car titles, which happens whenever a car is sold. The additional money would go to the DMV to pay for the reforms, said J.T. Gandolfo, head of Sanford's DMV task force.

While the plan does include new costs, it also includes big savings. Sanford said the agency would save:

- \$2 million by bringing operation and maintenance of its computer system - dubbed Project Phoenix - in-house, eliminating an outside contract expense. The \$25 million computer system was installed last summer and has resulted in shorter lines.

In January, the Department of Public Safety said DMV waiting times have dropped to about 20 minutes, down from an hour last summer. But Gandolfo said lines traditionally increase in the summer.

- \$500,000 by using Department of Corrections inmates to handle maintenance and janitorial services at DMV offices.

Sanford was joined Thursday by Gandolfo and leaders of the House and Senate in announcing the changes. Standing with him was state Sen. Brad Hutto, an Orangeburg Democrat, who said he was particularly excited about the new Web-based options.

"I don't know how many times people have talked to me about being in the lines at the DMV," Hutto said. "And they say, 'Why couldn't I just have gotten this off the computer?'"

The reforms allow people "to recognize we've moved into the 21st century, and let's deal with that at the DMV," Hutto said.

House Speaker David Wilkins, R-Greenville, urged the Senate to pass the DMV reform bill the House sent over in March. Senate President Pro Tem Glenn McConnell, R-Charleston, said he expects that to happen soon.

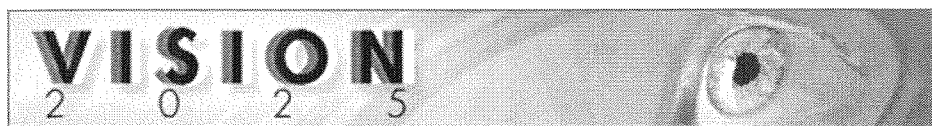
The attention to problems at the DMV has been a long time coming, Wilkins said.

The reforms mean "the DMV will no longer be dealt with as an afterthought," Wilkins said. "This bill brings accountability and efficiency to the agency."

Sanford urged patience as the new reforms take hold.

"Does this mean that all the lines will immediately end at the DMV? No, this is a progression of different changes."

Staff writer Mike Ramsey contributed to this report



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Sanford, board halt state leases

Posted Thursday, May 15, 2003 - 8:00 pm

By Tim Smith

CAPITAL BUREAU

COLUMBIA — State agencies will have to wait at least three months before submitting any office lease deals and a proposed Statehouse memorial to fallen law enforcement officers may not be funded at all using state dollars, Gov. Mark Sanford said Thursday citing the state's revenue problems.

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Sanford and other members of the State Budget and Control Board stopped agency property transactions for 90 days, and the governor announced he had vetoed spending \$500,000 on a Statehouse law enforcement memorial.

"That's \$500,000 that could go to Public Safety or the State Law Enforcement Division," Sanford said. "The notion of constantly looking at the numbers, I think, is a very, very important signal to send to all of state government because it's a signal that every small businessman sends to every one of his employees as they try and watch their dollars."

Sanford vetoed the memorial late Wednesday night but said he supports the project and is willing to help raise private funds for its construction.

"It's not a question of supporting the memorial or supporting our law enforcement community, it's a simple question of timing," he said. "Given the profound budget crisis we're up against - the worst in five decades - I believe the best way to honor these fallen heroes is to put that money directly toward pressing law enforcement needs in our state."

The announcement upset Rep. Shirley Hinson, a Goose Creek Republican and chief legislative sponsor of the memorial.

"I don't like it," she said, adding that the memorial is important to the families of those who died.

Sanford said the number of state troopers is at its lowest point in more than a decade, SLED is down 64 agents and the state's Criminal Justice Academy recently laid off 28 instructors.

But Hinson disputed Sanford's facts and said none of the money for the memorial could be used for law enforcement officers anyway. She said she hopes to persuade lawmakers to override the veto.

The memorial was approved by Gov. Carroll Campbell in 1994 and originally conceived as a privately funded project, Hinson said. But after fund-raising failed to collect the necessary money, she said, officers approached her two years ago and asked for her

help.

The state's budget mess also led Sanford to persuade other board members Thursday to stop what otherwise would have been routine approval of state agency property transactions.

In one case, officials with the state's vehicle fleet operation wanted to move from downtown Columbia and a building in need of major repairs to another Columbia location for \$2 million.

Sanford suggested officials look at other options, such as using a state transportation site used for off-loading new vehicles and transferring those operations to surplus prison property.

When office leases came up for the State Housing Finance and Development Authority and the Public Service Commission, Sanford again persuaded other board members to halt approval until a comprehensive study can be done of state agency leased space and whether vacant space can be better consolidated. The state leases about 3.8 million square feet of space for offices, warehouses and other government functions.

"I think the small businessman out there would find a way to place extra cars somewhere else and to use existing space in a way that state government frankly doesn't," Sanford said.

Sanford also objected to giving four state National Guard armories in Edgefield, Beaufort, Jasper and Dorchester counties to the local communities. The armories, officials said, are not used by the state and generally need repair.

The Legislature approved the transfer to local governments because they already use the structures for community projects, said Rep. Robert Harrell, one of the board's five members and chairman of the House budget-writing committee.

Sanford and Comptroller General Richard Eckstrom said they don't believe transferring the armories for free is good policy. The state should at least attempt to get money for the armories, possibly through an auction, Sanford said.

"I think some of these have raw value, just in the dirt itself," he said. "If there is no value or negligible value that would be shown on the auction block."

But Harrell, while agreeing the board should re-examine the state's policy on conveyances, said transferring the armories was an act approved by the Legislature and "is entirely appropriate."

The board voted 3-2 to approve the armories transfer, with Sanford and Eckstrom opposed.

The board also delayed approving a 2.4-percent cost of living adjustment for state retirees until next month, when officials will resubmit a financial statement of the state's pension plan including anticipated annual cost-of-living increases for future years.

The state has always granted such increases to retirees but the board decided several years ago to stop requiring that anticipated future increases be used in financial statement calculations.

Not using the information understates the pension plan's deficit, Eckstrom said.

"I don't think we're honestly reflecting what our financial position is," he said.



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Senate rejects cigarette tax on first vote

Posted Thursday, May 15, 2003 - 10:42 pm

By James T. Hammond

CAPITAL BUREAU

COLUMBIA – The state Senate rejected a 53-cent per pack increase in the cigarette tax on its first test vote, a measure that Sen. Verne Smith said was essential to shore up the state's Medicaid health care program for poor children and the elderly.

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Some senators who voted against the tax, however, said Thursday's vote was not the last word on the issue, and suggested votes could change if concessions are forthcoming next week on education and other issues.

Smith, R-Greer, said that if the \$171 million measure is not approved, about \$500 million cost of health care for the poor will be passed along to paying customers at the state's hospitals through higher insurance premiums and larger fees for health services.

A \$171 million state contribution would draw down more than \$300 million in federal matching funds, the combination of which would pay for hospital bills, doctors' services and prescription drugs.

Senate Finance Committee Chairman Hugh Leatherman, R-Florence, said that from a purely economic development perspective, the \$500 million would ripple through the economy four or five times, producing billions in economic activity for the state.

But some opponents said the cigarette tax unfairly targets a vulnerable population who are unlikely to protest. And others complained that Medicaid is a government handout rife with waste and abuse.

"Medicaid needs to be cleaned up before we pour money into it," said Sen. Jake Knotts, R-Lexington.

The cigarette tax proposal was paired in the amendment with Gov. Mark Sanford's plan to trim the income tax rate to 5 percent from the current 7 percent rate. The reductions in income tax would be triggered in future years by resumption in growth in income tax collections and take several years to implement.

Sen. Larry Martin, R-Pickens, said rejecting the cigarette tax increase would be "one of the least prudent decisions we ever made, if we pass on a half-billion dollars."

Sen. Don Holland, D-Camden, said votes cast against the cigarette tax Thursday could change if those senators get concessions on education spending.

Sen. Gerald Malloy, D-Hartsville, said, "We may be forced to accept what the House sent us. We are big supporters of education, but right now the House has more in its version for education than the Senate. We're probably \$80 million out of kilter," Malloy said.

"The person who finds a solution, we're just going to call him kingmaker," Malloy said.

The Senate will resume debate on the budget Monday.



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Senate says no to Sanford tax cut plan

Associated Press

COLUMBIA--Gov. Mark Sanford's push to reduce the state income tax failed a key test in the Senate Thursday night.

The Senate voted down the tax cut, which was tied to a 53-cent-a-pack increase in cigarette taxes, 27-18.

The higher cigarette tax would have generated about \$171 million needed for the state Medicaid programs for the poor, disabled and elderly. The tax reduction would have moved income tax rates from 7 percent to 5 percent during the next few years, depending on how fast income tax collections grew as the economy recovers.

The cigarette tax increase was a key element in a \$5.1 billion budget. Without it, and with a variety of smaller tax increases, fees and raids on accounts, the Senate's total budget is now more than \$381 million less than when it hit the floor on May 6.

Sanford's plan failed after an hour-long debate. Sen. Verne Smith, R-Greer, told the Senate there was no other clear way of rescuing Medicaid programs from cuts.

But Sen. Jake Knotts, R-West Columbia, said the Senate should send a message to "let them know we're not going to throw good money at a bad situation."

Sanford's tax plan could re-emerge next week as the Senate continues the longest budget debate in years.

Hours of closed-door meetings led Democrats and Republicans to agree to a second reading of the state spending plan although they had barely debated the details.

For instance, Sen. Scott Richardson, R-Hilton Head Island, made another attempt at raising the cigarette tax and the sales tax, but that plan fell victim to Senate rules. That's the same fate that befell other attempts this week.

"The mood in the Senate is not for a tax increase," Senate Finance Committee Chairman Hugh Leatherman, R-Florence, said.

Nonetheless, Sen. Tommy Moore, D-Clearwater, said he'd try to rally support again for a plan that raises the sales tax to 7 percent from 5 percent.

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Sanford praises Urban League's economic freedom efforts

Posted Thursday, May 15, 2003 - 10:41 pm

By DAN HOOVER
STAFF WRITER
dhooover@greenvillenews.com

Gov. Mark Sanford told several hundred members and supporters of the Urban League of the Upstate Thursday night that they are in the forefront of "America's second great battle after slavery," one being fought for educational and economic freedom.

The state's new Republican governor addressed the Upstate's annual Equal Opportunity Day dinner. The League is the nation's oldest community-based movement to help blacks enter the nation's economic and social mainstream.

"The way this organization does it enhances the chances for success," Sanford said, referring to the group's traditionally low-key, business-oriented approach.



From left, Jim McClain, director of the S.C. Dept. of probation, Parole and Pardon Services, S.C. Gov. Mark Sanford and Greenville Urban League President Bill Whitney chat during the Urban League's annual meeting at the Greenville Hyatt Thursday night. Staff/Owen Riley Jr.

 [e-mail this story](#)

When millions of blacks left a Jim Crow South for supposedly better living and working conditions in Northern cities and found themselves still denied economic freedom, "the Urban League vowed to do something about it — and that makes you modern-day freedom fighters," he said.

Sanford praised the organization, locally headed by Greenville's William Whitney, for promoting achievement, good citizenship and perseverance.

Two Greenville high school seniors were awarded college scholarships, Joshua Hoke of Greer and Angel Brockman of Carolina Academy. Claire Winkler received the League's Volunteer of the Year Award and Lockheed-Martin won its Corporate Award.

Sanford has made a concerted effort to reach out to black voters and used the occasion to note that his is the first Republican administration in South Carolina to have three African-American Cabinet members.

"Will we get it perfect? Absolutely not," Sanford said. "But we're trying."

Marianne Martin said after Sanford's speech was "inspiring" and had resonated with

her.

"I thought it gave a lot of credit to the Urban League for what it does for the community," said Martin, a homemaker."

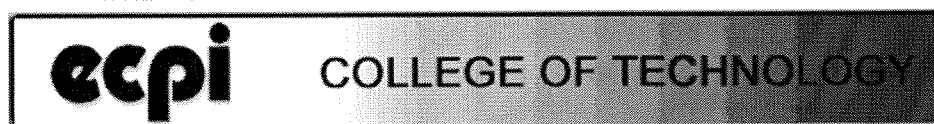
Curtis Johnson, pastor of Valley Brook Baptist Church in Pelzer, said he appreciated Sanford's "expression of embracing of diversity. I think he did a good job. And, I think he was sincere." Among his first campaign stops after winning the GOP nomination last June was one of the state's oldest black churches, Morris Brown AME Church in Charleston.

Sanford would later invite the pastor, the Rev. Joe Darby, a key figure in opposing the presence of the Confederate flag on the Statehouse dome, to speak at his inauguration.

In successfully challenging Democratic Gov. Jim Hodges, Sanford actively campaigned among black voters.

Staff writer E. Richard Walton contributed to this report.

Dan Hoover covers politics and can be reached at 298-4883.



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Posted on Fri, May. 16, 2003

Sanford praises Urban League

Associated Press

GREENVILLE, S.C. - Gov. Mark Sanford is praising members and supporters of the Urban League of the Upstate as leading "America's second great battle after slavery" for educational and economic freedom.

Sanford addressed the Upstate's annual Equal Opportunity Day dinner Thursday night.

"The way this organization does it, enhances the chances for success," Sanford said, referring to the group's traditionally low-key, business-oriented approach.

Sanford praised the organization for promoting achievement, good citizenship and perseverance.

He has made a concerted effort to reach out to black voters. He pointed out that his is the first Republican administration in South Carolina to have three African-American Cabinet members.

"Will we get it perfect? Absolutely not," Sanford said. "But we're trying."

Marianne Martin said Sanford's speech was "inspiring."

"I thought it gave a lot of credit to the Urban League for what it does for the community," said Martin, a homemaker.

Curtis Johnson, pastor of Valley Brook Baptist Church in Pelzer, said he appreciated Sanford's "expression of embracing of diversity. I think he did a good job. And, I think he was sincere."

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Posted on Fri, May. 16, 2003

Watchdog Sanford upsets many

By VALERIE BAUERLEIN
Staff Writer

In his latest battles against what he sees as wayward government, Gov. Mark Sanford has angered fellow Republicans, state employees and law enforcement officers.

And that was just Thursday.

First, Sanford vetoed a \$500,000 memorial to slain law enforcement officers minutes before a midnight deadline.

Then he put a three-month moratorium on allowing any state agency to sell existing buildings or lots or rent or buy new ones.

He also tried to stop the state from donating old armory buildings to local communities, but was blocked by other members of the Budget and Control Board -- the state's five highest-ranking financial officers.

Sanford said he's trying to set a new tone. That means paying attention to details.

But should the chief executive of a \$5 billion business worry about buying a vacant lot on Shop Road?

"There's a larger message that's sent to all of state government, which is there's a cooling effect," Sanford said. "People will know that we're going to look at all the numbers, rather than do what's been done in the past."

Jerry Wright, president of the state's Fraternal Order of Police, said the memorial should not be about the numbers.

"This really shocks me that this governor that claims to support law enforcement would do this," he said. "This is a memorial to give some comfort to the family and friends of those officers."

The bill would allow construction of a memorial to slain officers on State House grounds. The \$500,000 had been allocated in last year's budget, to be added to about \$30,000 raised privately.

South Carolina has law enforcement officers killed in the line of duty every year, Wright said. Ten were killed last year.

Sanford said the memorial is a good idea. He said he would even help raise the money.

But he disapproved of spending \$500,000 in public money for it when the state is in a financial crisis. "That's \$500,000 that could be spent on the Department of Public Safety, on SLED."

State Rep. Gary Simrill, R-York, co-sponsored the bill. He said the General Assembly is likely to override

Sanford's veto.

"Even if some state funds were used, it's \$500,000 in a \$5 billion budget," Simrill said. "The money is in honor and in memory of what these men and women do everyday. It's well worth the price."

Sanford also frustrated state agencies and Republican legislators by asking the state to make an index of all of its property. He wants to force agencies to look first at what the state has before it takes on any more.

His colleagues on the Budget and Control Board agreed that an index was a good idea.

But board member and state Rep. Bobby Harrell, R-Charleston, said Sanford could have picked a better forum to launch his idea than a meeting where four agencies had requests to buy or sell.

That included the board itself acquiring a lot to store vehicles and the state's Housing Authority buying an office building for its 125 employees.

The Housing Authority rents space from two landlords now, and had been negotiating the purchase of a building for more than a year.

"I know you hear frustration in my voice," Harrell said. "It is frustrating to work all the way through the process and stop it at the end."

Spokeswoman Alice Brooks said the Housing Authority might ask for permission to go ahead with its purchase.

"We felt that was a way for us to be very economically proactive," she said. "We're hoping this delay doesn't kill the deal."

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Posted on Fri, May. 16, 2003

The State

Health privacy law spurs confusion, calls for revision

IF YOU HAVE BEEN to the pharmacist's counter lately, you may have seen signs encouraging you to wait in line several feet from the counter, so that the customer in front can speak to the pharmacist without fearing that you overhear anything about his medical needs.

Are the signs just reinforcing common courtesy? No, they're intended to enforce federal law.

Those signs are only a small part of the Health Information Portability and Accountability Act (which adds HIPAA to our arsenal of government-supplied acronyms). The privacy portions of this 1996 law recently have gone into effect, providing a case study of the unintended results of well-intentioned legislation.

The privacy ramifications of HIPAA affect almost every aspect of health care in America, from newspaper birth announcements to nursing home care.

The law requires health care providers to explain their obligation to ensure the privacy of a client's records and to offer to keep their health information largely confidential. Given consumers' understandable inclination toward privacy in health care, many have been opting to be as private as possible. But that decision has ramifications they might not expect. Churches can't find out whether a parishioner is in the hospital, so clergy can't visit. Friends may not be able to track friends down, since some hospitals won't confirm that a person is even a patient if that patient has opted for the tighter privacy rules. That's usually more privacy than the patient had in mind.

For health care companies, compliance has not been cheap or easy: Blue Cross and Blue Shield of South Carolina estimates it has spent more than \$20 million to meet the new mandates.

The law's impact has been magnified by overly stern penalties: Disclosure of protected information can be punished with thousands of dollars in fines, or even jail. Given such risks, health care providers likely are being much more careful with everyone's information than the law even requires. It's better to treat everything as confidential, rather than risk an expensive error by failing to keep straight who's opted for what.

How cautious are health agencies being? DHEC last month declined to identify even the counties of residence for two people possibly infected with Severe Acute Respiratory Syndrome. If a SARS case is confirmed in South Carolina, the agency must see that the public's need to know outweighs an extreme definition of medical privacy.

Despite the many issues it has provoked, there are legitimate reasons for such a law to exist. Its key goal, to allow workers to hold onto health coverage when changing or losing jobs, is a good one. And there are real privacy concerns to be considered over health care information.

But this law, in this form, goes too far.

In the short term, health agencies will have to keep working to explain to consumers the consequences of the new law -- making sure that they understand that invoking all their new privacy options can shield them from people they don't wish to be protected from. Some hospitals already report a change in selections after more thorough explanations.

In the longer term, this law's broad ramifications would benefit from a judicious pruning in Congress.

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Hollings seeks port security investigation

Low funding hobbles new law, senator says

BY RON MENCHACA

Of The Post and Courier Staff

On the heels of the federal government's announcement this week of \$700 million in port security grants, including \$10 million to the Port of Charleston, U.S. Sen. Fritz Hollings said Thursday the money won't come close to plugging a gaping hole in the nation's maritime shield against terrorism.

Hollings, D-S.C., who co-authored last year's Maritime Transportation Security Act and has long been an advocate for increased port security, is livid that many of the act's mandates still lack adequate funding.

Now, joined by Republican Sen. John McCain of Arizona, Hollings is calling for an investigation by the U.S. General Accounting Office into how federal agencies such as the new Department of Homeland Security are implementing safeguards at the nation's 361 ports.

"The events of Sept. 11, 2001, demonstrated how vulnerable the most everyday aspects of our transportation system and commerce can be to acts of terrorism," Hollings and McCain wrote in a letter this week to GAO Comptroller General David Walker. "Yet our ports remain exposed and susceptible to acts of terrorism that could cause a large loss of life and economic disruption."

Margaret Wrightson, who studies homeland security issues for the GAO field office in San Francisco, said an official decision on whether to begin an investigation would be made early next week. But she said many of the senators' concerns could be addressed in ongoing studies requested by other lawmakers.

It's been estimated that of the millions of shipping containers that pass through the nation's ports each year, between only 2 percent and 4 percent are physically inspected. U.S. Customs officials and maritime leaders argue that a dramatic boost in inspections could cripple ports and slow commerce to a trickle.

Charleston is among the five busiest ports in the country. The port recently was selected as a staging ground for an anti-terrorism task force. Project Seahawk will pool the resources of local, state and federal investigators to probe suspicious vessels, crews and cargo.

While that project and other recent security advances are promising, Hollings

said, the biggest needs remain unfunded. He said the Coast Guard alone has estimated it will need \$1 billion next year just to cover the act's security requirements at private port terminals.

In addition to public shipping terminals operated by the State Ports Authority, Charleston has a number of privately operated terminals that mostly handle non-containerized cargo.

The act, which became law in November, calls in part for ports to conduct vulnerability assessments, develop incident response plans, develop a vessel tracking system and improve coordination among local, state and federal agencies.

Hollings, ranking member on the Senate Committee on Commerce, Science and Transportation, which is chaired by McCain and oversees U.S. ports, suggested that the act's implementation is bogged down in bureaucratic shuffling.

"We are concerned that (federal agencies) have failed to ensure that all requirements of the act are being executed effectively and in a timely manner ... and that major problems have arisen in the coordination among federal agencies on various issues."

Hollings questioned Homeland Security Secretary Tom Ridge on the funding issue during a Senate committee hearing earlier this year.

Ridge said at the hearing that port security was being supplemented by actions away from U.S. ports. He cited advance manifest notice required of U.S.-bound ships and initiatives to create a network of pre-screened businesses whose cargo receives less scrutiny and allows efforts to be focused on suspicious items.

"So in a very methodical and very appropriate way, we begin to build layers, perimeters of defense around our ports," Ridge said.

The letter also asks the GAO to evaluate the U.S. Transportation Department's efforts to move the act from paper into ports.

U.S. Sen. Lindsey Graham, R-S.C., who earlier this year voted against Hollings' attempts to secure additional port security funding in the current budget because it sidestepped the normal appropriation process, said Thursday through his spokesman that the GAO probe is a good idea.

"There's no doubt that it's time for Congress and the president to address the growing security needs at our nation's ports," Graham said in March after he and Hollings helped orchestrate a Senate compromise on port funding to provide \$2 billion during the next two years. Hollings wanted some of the money immediately.

U.S. Rep Henry Brown , R-S.C., who took part in a mock security exercise

May 6 that included a fictitious terrorist incident at the Port of Charleston, supports any study that would identify kinks and get more money flowing to ports, said his spokesman Denver Merrill.

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House budget siphons off funds earmarked for Laffey

BY BRIAN HICKS
Of The Post and Courier Staff

COLUMBIA--The destroyer Laffey took hits from four bombs and six kamikazes in a single hour during World War II, but "the ship that would not die" recently found itself in the crosshairs of another foe: the South Carolina Legislature.

The House-approved version of the state's \$5 billion budget is balanced in part by using interest from two Patriot's Point bank accounts that the self-supporting agency uses to stretch its income. The \$90,000-plus in interest the agency earns in a year is scheduled to be confiscated -- including \$7,000 in interest earned completely off private donations earmarked to maintain the destroyer Laffey, one of the ships on display at the Point in Mount Pleasant.

Senate President Pro Tem Glenn McConnell found the funds among listed revenues while poring over the budget during the Senate debate Thursday, and immediately filed an amendment to remove that money from the budget.

"We are going to bankrupt the state doing this kind of thing," McConnell, R-Charleston, said. "I don't know if there's a law against us doing this, but it's not going to fly. That's not why these people gave this money, for us to use it in the state budget."

McConnell said the move would prevent people from donating to state-owned projects for fear that the money could go to the state's general fund.

"This money and the interest it earns was donated to keep this ship afloat -- not the ship of state," McConnell said.

South Carolina's current fiscal year budget uses about \$43 million in interest earned by various restricted fund accounts -- including \$76,000 from the Patriot's Point coffers -- that some agencies employ to hold donations or receipts if they charge admission. These accounts, which can only be used with Budget and Control Board approval, are a way for agencies to stretch dollars.

Tom Peltin, president of the Tin Can Sailors Association, an organization that provides preservation funding to seven historic destroyers, said that the state commandeering interest money earned through the Tin Can's grant program was not likely to win much favor among his 25,000 members.

The association provides \$20,000 a year toward maintenance of the Laffey.

"Our members contribute because they are concerned about the ship, not because they are worried about alleviating problems in a state budget," Peltin said. "Certainly that is not in keeping with the spirit of the grant."

Peltin said this incident may prompt the association to add a provision to its contracts forcing grant holders to get permission to use interest money on their donations for any other purposes. If the state had asked, Peltin said, the group probably would not have approved.

"That \$7,000 can buy a lot of paint and welding rods, the kind of unglamorous things that keep these ships up," he said.

David Burnette, executive director of Patriot's Point, said he was glad McConnell caught the budget provision swiping the agency's interest money.

"I'm always appreciative of anyone who realizes how an enterprise agency has to operate and come up with funds any way it can," Burnette said.

The Charleston County legislative delegation received approval only a few years ago for Patriot's Point to put its gate receipts, gift shop revenues and private donations into two separate interest-bearing accounts to help the agency earn more money. Although a state agency, Patriot's Point gets no direct subsidy from the state.

But the ensuing budget crisis and pledges from some lawmakers not to raise taxes led budget writers to seek funding from every available source. Beginning last year, lawmakers started siphoning interest off these accounts, including the Tin Can account that supports the Laffey.

State Rep. Bobby Harrell, chairman of the House Ways and Means Committee, said the interest from restricted funds amounts to about \$7.2 million in the proposed budget for 2003-04 -- well below the \$43 million of the current year.

"The General Assembly oversees all funds in state government, and if the Legislature decides it does not want to include some funds in the budget, that will be fine," said Harrell, R-Charleston. "They just need to amend the budget in the Senate."

The issue will likely come up in the House-Senate conference committee that will iron out differences in the two chambers' budget, but Harrell and McConnell say both sides will most likely agree to leave the Patriot's Point interest out of the equation.

And McConnell says that before he's done, he might try to force lawmakers to return the interest taken from other accounts, particularly those made up of private donations.



Strong protection for borrowers; now pass PSC consumer measure

The bill against predatory lending approved by the Legislature on Thursday provides needed protections for consumers, including those with insufficient means to obtain conventional loans. It should be followed by action on another pro-consumer bill that would provide for the long-overdue reform of the state's Public Service Commission.

The predatory lending bill increases regulation of and disclosure by mortgage brokers. It limits fees, points and credit insurance, all of which increase the cost of a mortgage. The bill provides protections against high-cost loans, and limits renewal of loans when there is no benefit to the consumer.

It includes new restrictions on title-loan lenders, limiting automobile loan renewals to six months and then freezing the loan for another six months, to give the owner more opportunity to repay. Sue Berkowitz, of the S.C. Appleseed Legal Justice Center, says the latter provision effectively cuts the lending rate -- sometimes as high as 300 percent -- in half. The center, a non-profit, public-interest organization that provides legal assistance to poor people, has long been an advocate for more protections. The bill also was supported by AARP, recognizing that elderly people are often victims of predatory lenders.

"It's light years ahead of where we were," Rep. Joe Neal, D-Richland, told The Associated Press. Rep. Neal has worked for passage of a predatory lending bill for 10 years.

House and Senate also have approved different versions of a bill that would provide changes in the Public Service Commission, which makes decisions on regulated utilities that determine the rates consumers pay. The Legislature should restrict communication between commission members and utility representatives, improve the qualifications of commission candidates and prohibit close relatives of legislators from applying for the lucrative commission positions.

Improving the PSC would have a broad effect on consumers in South Carolina, since its decisions affect those who use electricity, natural gas and telephone service, with millions of dollars cumulatively at stake.

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http://www.charleston.net/stories/051603/edi_16edit1.shtml



MUSC's board ratifies va lease

Trustees also give OK to other parts of plan for hospital

BY JONATHAN MAZE

Of The Post and Courier Staff

Rolling ahead with plans to build a new hospital downtown, the Medical University of South Carolina's Board of Trustees on Thursday approved an agreement to lease a portion of Doughty Street from the Department of Veterans Affairs.

The board also gave architects the go-ahead to come up with a more definitive design for the hospital, and it approved a plan to demolish part of the Harper Student Center to make way for the new building.

Marion Woodbury, the special assistant to President Ray Greenberg who is heading up the university's efforts to build the hospital, told trustees that plans are moving ahead on schedule and that few problems at this point could stop them.

"Well, lightning strikes when you least expect it," Woodbury said later. "But we're on track."

Though only a half-acre of paved land, the VA's portion of Doughty Street is a critical piece to the university's new hospital. The 156-bed facility would be built along Courtenay Drive over Doughty, requiring closure of the street that leads to the Ralph H. Johnson VA Medical Center.

The university and the VA reached a \$1.7 million agreement earlier this month in which the federal agency would lease the property to MUSC for 75 years. The university agreed to provide traffic improvements to help patients get to the VA hospital.

While negotiations had at points been testy and discussions on a proposal to combine the two hospitals have been delayed, university officials on Thursday sounded a much more positive tone.

MUSC has been moving fast in its efforts to build a satellite hospital that would be the first step in a three-stage plan to replace the university's aging medical center.

MUSC wants to submit its plans to the Department of Health and Environmental Control for approval by June 10. If all goes well, the agency could approve the plan by September, and Woodbury said construction could begin by June 2004.

The hospital, which largely would care for patients with cardiac and digestive problems, could take as little as 27 months to complete, Woodbury told the board. Meantime, a new and slightly higher-cost estimate provided Thursday put the facility's price tag at \$237.8 million.

The university would cover that with funds generated by the new hospital. Not included in the price tag is the cost of other issues related to the hospital: \$28 million for a new 1,500-space parking garage on Courtenay; \$30 million for the construction of an energy plant to serve the new hospital; and \$63 million in downtown traffic improvements.

Together, they add another \$121 million to the hospital's cost.

Each of these additional elements would be funded through other means.

The university would pay for the garage with either a federal grant or parking revenue. A private developer would construct the energy plant and lease it back to the hospital. State and federal sources could pay for much of the traffic improvements.

Woodbury didn't have an estimate for the potential purchase of Charleston County's 1,600-space parking garage, which sits behind the hospital site.

MUSC is in negotiations with the county for the garage, which would be used to serve the hospital.

Included in the \$237.8 million hospital price tag is \$12.5 million for the university to demolish a portion of the student center and relocate those facilities to another part of the campus.

The facilities, including classrooms and sites for other student activities, would be moved to the university's Library/Administration building, which would be turned into a centrally located student building. Administration would move into a renovated Colcock Hall, a historic building on campus at Ashley Avenue.

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Vote lets stores sell alcohol on Sundays

Revenue Department rules after review of Summerville's referendum question

BY BO PETERSEN

Of The Post and Courier Staff

SUMMERVILLE--Beer and wine can be sold on Sundays from store shelves as well as restaurant menus under a measure passed in a town referendum Wednesday, a S.C. Revenue Department spokesman said Thursday.

The department's interpretation surprised some of the people who put the Sunday sales initiative on the ballot.

John Holden, who led a local restaurant group in a two-year campaign to get the referendum, said he thought the wording "two ounces or less" would prohibit sales by stores, which can't sell minibottles. The group promoted it as a restaurant-sales measure.

Three members of Town Council, which voted to put it on the ballot, also thought that was all it was about.

But Revenue Department attorneys who reviewed the referendum question Thursday disagreed. The measure's wording is somewhat vague, said spokesman Danny Brazell, but "does allow the sale of on-premises and off-premises beer and wine."

The measure reads: "Shall the South Carolina Department of Revenue be authorized to issue temporary permits in the Town of Summerville for a period not to exceed twenty-four hours to allow the possession, sale and consumption of alcoholic liquors in sealed containers of two ounces or less to bona fide nonprofit organizations and business establishments otherwise authorized to be licensed for sales?"

Attorneys for the department base their interpretation on a state attorney general's opinion from several years ago that combined what used to be separate referendum issues. The law now allows businesses to buy a \$3,000-per-year or \$150-per-Sunday minibottle license, which also provides for beer and wine sales, or a \$2,000-per-two-years, seven-day beer and wine sales license.

Mayor Berlin Myers and council members Sue Sanders and Jan Waring-Woods weren't aware of that Thursday. Waring-Woods said the referendum was presented as a vote on sales in restaurants.

On the other hand, council members Aaron Brown, Stanley Tucker and Chris

Sieber said they all knew what the law would entail.

"Most of the talk centered on selling in restaurants," Brown said, but he personally knew it was a blanket law. "If you open up that can of worms, everybody can sell it."

That notion was lost on at least some voters.

"I thought it was just for restaurant sales," said Kathryn Jordan, a Summerville resident. She added that it doesn't bother her that convenience and grocery stores will be allowed to sell beer and wine on Sundays. Town Attorney Troy Knight, who reviewed the staff-written referendum question, said he was aware its passage would allow store sales, and he thought council understood that. His review dealt with getting the language to agree with existing town law.

Tucker said he had talked about the measure in terms of residents already driving to Charleston County to buy from stores. "My personal feeling is that's why we left it up to the people to vote for it. We can't legislate morality."

Sieber said he thought the issue had come up in council discussion.

Whether convenience and grocery store owners will take the windfall remains unclear. A district manager for an in-town Speedway store said he had not been aware that the measure would allow his business to begin selling on Sundays.

OK Grocery downtown was aware, said grocery employee Brenda Yanez, but the store doesn't open on Sundays now and doesn't plan to start.

Sunday drinks officially could be served as early as this weekend, but three restaurant managers who were asked said it most likely would be another week before they have permits.

On the chance of sales starting Sunday, the town's Election Commission is expected to certify the voting results this morning, and Brazell said if the department receives notification early enough, it "more than likely" could begin issuing permits late in the afternoon.

But both town staff and businesses said they didn't expect to complete paperwork before Monday.

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Posted on Fri, May. 16, 2003

S.C. State president up for vote today

By JEFF STENSLAND
Staff Writer

South Carolina State University trustees will meet in Orangeburg today possibly to select a new president.

Trustees narrowed the field of potential presidential candidates down to three last month.

They are:

- Andrew Hugine Jr., S.C. State's interim executive vice president;
- James Johnson Jr., dean of the College of Engineering, Architecture and Computer Sciences at Howard University in Washington, D.C.;
- Earl Yarbrough Sr., provost and vice president for Academic Affairs at Virginia State University.

Since former president LeRoy Davis retired from S.C. State in January 2002, former state Supreme Court Justice Ernest Finney Jr. has led the 4,000-student campus as interim president.

S.C. State spokeswoman Shondra Abraham said a final vote on the next president is "extremely likely, almost definite" today if trustees can reach a consensus.

The search has taken longer than trustees initially intended, and the school brought in the state Budget and Control Board to help identify candidates. After identifying six finalists in January, the school reopened the process to consider additional candidates before deciding on the three. Yarbrough was the only candidate on both finalist lists.

Whoever gets the nod from the trustees will inherit a tightening budget and spiraling maintenance costs at the school. Trustees expect the new president to play a lead role in launching a major fund-raising campaign to help the college get on better financial footing.

All three candidates visited the school's campus last week and met with faculty members, small groups of students and administrators. Trustees also held extensive interviews with the candidates.

Board chairman Maurice Washington described the candidates as "excellent."

"The visits went extremely well and the various stakeholders were actively engaged," he said. "The feedback we've gathered has provided some wonderful insights about the candidates."



Posted on Fri, May. 16, 2003

Floyd nominated to be federal judge

By LAUREN MARKOE
Washington Bureau

Washington State judge Henry Floyd of Pickens is President Bush's choice to be South Carolina's next federal judge.

U.S. Sen. Lindsey Graham, R-S.C., recommended Floyd to Bush and knows the judge from his own days as a young Pickens lawyer.

Floyd, 55, is now a circuit judge on the state's 13th Judicial Circuit, which includes Greenville and Pickens counties.

The White House sent his nomination to the Senate Judiciary Committee on Thursday. He would join the U.S. District Court for the District of South Carolina.

Floyd, with the Senate's approval, would fill the seat vacated by U.S. District Court Judge Dennis Shedd of Columbia, who earlier this year was promoted to the 4th U.S. Circuit Court of Appeals.

Floyd's confirmation hearing has not been scheduled. When he does go to Washington, Graham said, he should sail through.

"Given his judicial record, If Henry Floyd has any problem, then the system is beyond repair," said Graham, who sits on the Judiciary Committee that would first consider the nomination. The Senate would then have to give its approval.

Republicans and Democrats in the Senate are in an ongoing battle over several Bush nominees, but the partisan rancor typically does not apply to district court nominees.

"He will be an outstanding jurist," Graham said. "He's fair. He's conservative. He comes highly recommended from all those who have practiced before him."

Floyd said Thursday the federal bench has long been his goal.

"It's always been my ambition to try some really good and complex cases and most will be in federal court," said Floyd, who has tried his share of complicated South Carolina cases.

As a trial court judge for the past 12 years, Floyd was widely praised for keeping a complicated insurance lawsuit in 1998 out of partisan politics.

The state in that case had sued to recover more than \$80 million for S.C. businesses.

Floyd also presided over the highly publicized 1996 trial of Steve Beckham, the son of a retired Episcopal bishop, who was convicted of murdering his estranged wife, Vickie Lander Beckham -- the daughter of

then-state Sen. Jim Lander, D-Newberry.

Floyd is known for keeping lawyers in line. In the Beckham trial, he addressed both the prosecuting and defense attorneys: "Gentlemen, this is not a place to hash and rehash."

Jean Toal, chief justice of the S.C. Supreme Court and former longtime Democratic state legislator, called Floyd's nomination "a grand day for South Carolina and for Pickens County."

"Apart from that," she added, "he is a man of uncommon intellect and deep compassion. There is not an arena of law in which Henry Floyd has not distinguished himself. He will do President Bush and Senator Graham proud."

The Republican president and senator are behind Floyd even though the now-unaffiliated judge was once a Democrat and won his three terms in the State House, from 1973 to 1979, as a member of that party.

"The important thing is that he's someone you can trust to decide cases," said Graham.

Asked how he was celebrating his nomination Thursday night, Floyd said his wife, Libba, a curriculum director for Pickens County Schools, was in Columbia and that he was home baby-sitting the family's two Boston terriers -- Ben and Hearsay.

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Black Expo set to open doors

From Staff Reports
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A speech by film director Spike Lee may be the main attraction, but Saturday's Black Expo also offers businesspeople an opportunity to show their wares, attend seminars and network.

This year's theme is all about creating and identifying economic opportunities, said Rosalind Chamberlain, publicist for the annual event, held this year at the Carolina Center.

Along those lines, here are a few best business bets for the expo:

- **Solutions to Growing Your Business:** Seminar from 12:45 to 1:45 p.m. in Room B. Features Diane Sumpter, a local entrepreneur. Topics include how to win contracts.
- **Home-buying 101:** Seminar from 1:30 to 2:30 p.m. in Room A. Learn about the ins-and-outs of becoming a homeowner.
- **Using Technology to Make Your Small Business Effective:** Seminar, 11:30 a.m. to 12:30 p.m. in Room B. Topics include creating Web sites.
- **Managing Your Finances After 9/11:** Seminar from 3:15 p.m. to 4:15 p.m. A local investment firm will offer tips and advice.
- **Youth entrepreneur exhibit:** Enterprising youngsters ages 11 to 16 will run their own booths, selling products from gospel CDs to clothing.

Black Expo also features more than 200 exhibitors -- from large organizations like SCANA Corp. and the Girl Scouts to small businesses and Realtors -- as well as entertainment, food, a health fair and a kids' area.

The event runs from 11 a.m. to 7 p.m. Film director Lee speaks at 2 p.m. on the main stage.

Admission is \$8 for adults and free for children 12 and younger.

A portion of the proceeds will go to the Black Pages Scholarship Fund. Tickets can be purchased at the Carolina Center box office, any Midlands Publix grocery store, online at www.ticketmaster.com or by calling (803) 783-2222.



Posted on Fri, May. 16, 2003

Legislature OKs bill to stem loan abuses

By JULIE HALENAR
The Associated Press

The General Assembly approved a bill Thursday to tighten regulation of high-interest loans to protect South Carolina consumers.

Members of the conference committee who negotiated the measure said they were confident Gov. Mark Sanford would sign the bill.

"I really think once he looks at it he'll see it's very friendly to the business community, while at the same time protecting the consumers," said Rep. Harry Cato, R-Travelers Rest. "It's a very good middle-of-the-road approach."

Sanford said Thursday he will review the bill before he considers signing it.

The bill seeks to block companies from making high-cost loans that hurt particularly low-income and elderly borrowers.

One of the key elements of the bill would require anyone seeking to borrow money at a higher-than-market interest rate to attend a credit counseling session. The session would be free of charge.

It would ban certain practices such as flipping, which is the repeated refinancing of loans typically done when a borrower is having trouble making payments.

The practice, however, tends to sink the borrower further into debt while generating high fee income for the lender.

Sen. Linda Short, D-Chester, said she is glad the compromise bill retained so much consumer protection.

"It provides a lot of protection for consumers, senior citizens in particular, who have been victimized so many times," she said. "I think it's going to give them a lot better security in financial dealings than they ever had in South Carolina, so I feel really good about it."

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Posted on Fri, May. 16, 2003

Mother pleads for legislation

She says bill to tighten hospital rules could have saved her son

By JOHN MONK
Columnist

The mother of a 15-year-old Columbia boy killed by medical blunders at a top S.C. hospital told state legislators Thursday that a few simple changes in the law could have saved her son -- and would save others, if the General Assembly would act.

"He died in his hospital bed because we were unable to get him a fully experienced doctor," said Helen Haskell, explaining that only doctors still undergoing training called residents were available.

Haskell asked the lawmakers to support a bill -- named the Lewis Blackman Hospital Patient Protection Act bill, after her son -- now in a House Judiciary subcommittee.

The bill's provisions require:

- Hospital staff to wear badges clearly stating their names, departments and status
- Hospitals to let patients know how to contact doctor and nurse supervisors
- Hospitals to inform patients that residents are treating them
- Board-certified doctors to see each patient at least once daily in a hospital
- Major hospitals with residency teaching programs to have a board-certified doctor present in the hospital at all times.

"Any one of them (the provisions) could have saved our boy's life," she said.

Haskell was joined by Jane Wiley, legislative director for AARP South Carolina, an advocacy group for people age 50 and older. It has 451,000 S.C. members.

"It's a reasonable bill that will protect a lot of people," said Wiley, saying the bill would be especially helpful for older people in hospitals.

Currently, many medical people wear badges, but often the description of residents makes them appear to be more experienced doctors.

Haskell's son, Lewis, a ninth-grader at Hammond in Columbia, underwent routine surgery at the Medical University of South Carolina in Charleston in 2000. Afterward, as he worsened, nurses and residents insisted Lewis had nothing wrong with him.

Despite repeated requests over 30 hours, they refused to call a supervising doctor and allowed Haskell to

think she was dealing with experienced physicians. An experienced doctor would have easily discovered Lewis was dying. Almost up until the hour he died, Lewis could have been saved -- if only the staff had summoned an experienced doctor as Lewis' mother wanted, according to experts familiar with the case.

MUSC's negligence was such that it paid Lewis' parents \$950,000 without even going to trial. They are exploring ways to use the money for scholarships and to promote patient safety.

Bill sponsor Rep. James Smith, D-Richland, said he is trying to provide "additional information to patients." He said he has spent hours refining the bill with the S.C. Hospital Association and other medical authorities.

Elizabeth Powers of the S.C. Hospital Association told the subcommittee her group has concerns about the bill, but hopes to work with Smith for patient safety. She didn't specify concerns.

The Judiciary subcommittee appeared to be on the verge of passing the bill Thursday. However, after some members expressed concerns, the subcommittee agreed to meet again next week on the bill.

Rep. Alan Clemmons, R-Horry, said he worried the badges the bill would require would be too big and cumbersome. After the meeting, he also said he wants more information about the provision requiring some hospitals to have a more experienced doctor on hand at all times.

Clemmons said he wasn't trying to kill the bill -- only trying to make it as practical as possible without unduly burdening hospitals.

The committee also heard from Lynn Bailey, a medical expert who told the committee that a national study indicated that more than 1,000 people a year die each year in South Carolina because of medical errors.

"The human loss is significant," Bailey said.

University of South Carolina law professor Robin Wilson, who specializes in health care issues, told the subcommittee that studies show many people are confused in hospitals about the level of training that hospital staffers have.

Wilson said the bill would give basic information to patients and help prevent lawsuits and the "pointless loss of lives."

In recent months, medical mistakes such as Duke University Medical Center's failure to check blood types before a heart transplant have received increasing attention.

In South Carolina, hospitals and medical authorities generally try to keep mistakes that kill and injure people from public view, according to a State newspaper investigation last year. They have been known to avoid notifying county coroners when patients are killed. Until recently, when state and federal judges banned secret settlements in lawsuits, doctors and hospitals have used the courts to conceal the extent of deadly patient errors.



Posted on Fri, May. 16, 2003

ON THE TRAIL OF ANTHRAX

USC scientists make key discovery

Finding could lead to better detection, improved vaccine that stops anthrax at an earlier stage

By LINDA H. LAMB
Staff Writer

A USC-led research team has found what could be a key tool in the effort to build a better vaccine against the most deadly form of anthrax.

By targeting a glycoprotein that surrounds each anthrax spore, an improved vaccine might disable the spores before they find a warm, inviting home in a victim's lungs.

This substance - a protein with a carbohydrate attached - also could lead to almost instant detection of anthrax spores used in bioterror attacks, said the lead author of the USC research, bacteriologist Alvin Fox.

"We want it to be not only quick, but it's got to be simple," he said.

At the site of a bioterror attack, he said, "it's going to be a first responder, not somebody who has a degree in microbiology, who's going to be there."

The anthrax bacterium has proven to be a tough target over the years.

A six-stage vaccine used by the American military has yet to be proven effective, Fox said. And though the military has been working on biodetection methods for anthrax since World War II, there's still not a device that is fast and reliable, he said.

In the wake of the 9/11 terror attacks in 2001, five people died when a still-unknown culprit sent anthrax spores through the mail. There was panic as people learned about the deadly inhalational form of anthrax, which can kill in a matter of days.

In 1993, Fox's research team discovered a carbohydrate unique to anthrax spores. Their new research (published in the current Journal of Microbiological Methods) identifies this carbohydrate as a component of the protein that was discovered by French researchers last year.

The crux of the protein's importance is its location, Fox said. Seen under an electron microscope, it looks like a gray border that surrounds the anthrax spore.

It is this leading edge of the spore that works its way into the lungs. Because the glycoprotein is on the outside of the spore, it should be a relatively easy target for vaccine or detection, Fox said. And the spore doesn't do its damage if it never binds to the lung.

The current vaccine does not target anthrax until later in the process. After binding to the lungs, spores germinate, producing toxins that devastate the body's immune system and cause death. The vaccine targets these toxins.

"If you stop it early in the process, you have a person who's going to live," Fox said.

Vaccines take a long time to develop and test, and it could be five to 10 years before the research has practical benefits. Tantalizing possibilities include an injection of antibodies that could be given after exposure, like a tetanus shot, or breathed in like asthma medication.

Meanwhile, the biodetection angle is being hotly pursued by researchers all over the world.

Detection methods targeting the glycoprotein surrounding the anthrax spores could be faster and less cumbersome than current methods, Fox said.

Usually, a sample from an environment where anthrax contamination is suspected is added to nutrients in a petri dish.

Then a diagnostic laboratory analyzes the bacteria that multiply in the dish, which can take a couple of days. There's also been experimentation with devices that break down elements in the air and analyze their molecular structure.

Fox wants an on-site device like those he has used to analyze air quality - showing, for example, that a room full of schoolchildren has 50 times more biocontamination than an empty room.

Better detection will be crucial in case of further anthrax attacks. Though the anthrax letters only caused a handful of deaths, scientists fear an attack on, say, a fan-filled stadium could kill tens of thousands of people.

Also driving Fox and his researchers is the fact that anthrax bacteria are so hardy. They can live dormant for decades in soil, impervious to heat, cold and disinfectants.

"That's what makes it such a frightening organism," said Karen Fox, a molecular biologist, anthrax researcher and Alvin Fox's wife.

Other contributors to the latest research were Lashanda Waller, William Harley and Robert Price of USC, and George Stewart of Kansas State University.

MyrtleBeachOnline.com

Posted on Fri, May. 16, 2003

Lawmakers address deluge of spam e-mail

By Andrew Shain
Knight Ridder

By summer's end, more than half the e-mail sent to the nation's in-boxes will be spam.

Less than two years ago, unsolicited commercial messages accounted for less than 10 percent. Now, lawmakers and Internet providers are trying to stop the onslaught before it hobbles the Web or deters people from turning on their computers. More than 700 million pieces of spam reach 125 million in-boxes each day in the United States, according to Jupitermedia, a New York research firm.

Oddly enough, junk-mail filters are one reason why those pitches are multiplying. The filters stop 80 percent to 90 percent of spam, experts estimate. Marketers who once needed to send 1 million or 2 million e-mails to get 100 responses now need 10 million for the same result, said Ken Schneider, chief technical officer for Brightmail, a maker of anti-spam software.

Frustrated with spam, Eric Helmer recently counted how many he received in a month. He figured maybe there would be 100 or 200. He got 665.

People get so much spam because it's cheap. Marketers can reach millions of potential customers without the cost of calls or postage.

Spamming also is low-risk.

That might change.

Congressional bills introduced this year would create a no e-mail registry, similar to one created to stop telemarketers, and offer bounties to people who turn in spammers to federal regulators. Internet service providers, meanwhile, are suing spammers, accusing them of deceptive business practices.

Efforts to fix the problem brought e-mail marketers and anti-spammers together during a forum two weeks ago sponsored by the Federal Trade Commission.

And 30 states, including North Carolina, now have some sort of anti-spam laws, according to spamlaws.com.

Virginia, home of America Online as well as other top Web companies, modified its law last month to make some spamming a felony, a national first. S.C. lawmakers also are considering a registry as well as fines for e-mail senders who disguise their identities. The N.C. law bans e-mails with false return addresses, though it's rarely enforced.

The major Internet providers are fighting back.

"All we're hearing from our customers is, 'Please, give me something to battle this,'" EarthLink spokesman

Jerry Grasso said. "In-boxes will not get smaller just because the FTC talked about spamming. People have to take action."

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Posted on Fri, May. 16, 2003

Shrimpers optimistic coming season will end recent slump

By Kelly Marshall
The Sun News

GEORGETOWN - Commercial fishermen are waiting for the spring shrimping season to open and possibly bring an end to their long run of bad luck.

Despite initial misgivings from the S.C. Department of Natural Resources on the number of roe shrimp that will be available when the season opens, possibly by the end of this month, local fishermen are hoping that abundant rainfall and few cold days this past winter will help fill their nets.

Fishermen were working in state waters by May 15 last year. That was an improvement from 2001, when a cold snap killed the roe shrimp and delayed the spring shrimping season to June 25.

"I don't see how the cold weather [this year] will hurt us," said Bert Jordan, owner of Stormy Seas Seafood in Georgetown. "If they would open the season, we could go somewhere and get a day's work."

For the past two years, shrimpers have been hit with a combination of drought and freezing temperatures that caused many of them to sell their boats or get other jobs.

Clay Cable, president of the S.C. Shrimpers Association, said he thinks delaying the spring season could be harmful to commercial fishermen.

"I'm thinking we should look hard at opening in a week or so," he said. "Shrimpers are desperately looking for an opportunity to pick up some revenue."

Cable said shrimp move offshore after laying their eggs and the harvests in federal waters indicate the shrimp already are moving out.

Jordan remains optimistic that conditions are right this year for a good spring catch.

"I think we're going to pull out of our slump this year," he said. "A mild, wet spring is good for us."

Jennie Davis, spokeswoman for the S.C. DNR, said she has not received numbers from the biologists working in the field this week. She said Georgetown could have a better spring season than Beaufort because of higher temperatures.

Davis said the season should open by the end of May.

"The biologists want to make sure the shrimp spawn," she said. "It's important to the fall crop that they have their babies before the waters open."

The Associated Press contributed to this report.

MyrtleBeachOnline.com

Posted on Fri, May. 16, 2003

S.C. bill aimed at helping beach music icons, others

By Zane Wilson
The Sun News

COLUMBIA - Rep. Bubber Snow, who already has made a name for himself as self-appointed caretaker of beach music, is taking on the cause of a native big-name performer: Bill Pinkney.

Under a bill sponsored by Snow, D-Hemingway, Pinkney would be able to perform as an Original Drifter without fear of prosecution.

The measure received preliminary approval in a House subcommittee Thursday.

Pinkney, a beach music icon, is just one of many performers whose livelihood is affected when promoters snatch up idle trademarks and send out new singers under old names. The fans are also getting ripped off, said Harry Turner of Myrtle Beach, president of Beach Music Association International.

"It's about fairness, it's about allowing the public not to be defrauded," Turner told the subcommittee.

The bill's sponsor, Snow, is himself a beach music icon.

He sponsored the 1984 bill that made the shag the state dance and the 2001 law that made beach music the official state popular music.

For many, shag is to beach music as swing is to big band.

Snow also organizes the annual Beach Music Day at the Capitol.

Turner teaches a continuing education class on beach music at Coastal Carolina University and wrote a book on the subject, called "This Magic Moment." He said what promoters are doing is legal: creating new groups under old names.

When the trademarks expire, anyone can obtain them, and that is what has happened in cases involving The Platters, The Coasters and other big names from the '50s and '60s, Turner said.

It's not only confusing to the public, who sometimes think they're attending a performance by the real thing, it's unfair to the original members who are still alive and not getting work, he said.

The bill says that anyone who had a "substantial role" in a singing group can use its name. That would certainly apply to Pinkney, Turner said.

In addition, it would require other groups to bill themselves as a tribute act.

The bill would be the first of its kind, but North Carolina is considering a similar measure if South Carolina's law passes, Turner said.

The issue of who could be called a Drifter went to federal court, he said.

Pinkney won the right to use "Original Drifter," and The Drifters name went to another group. Pinkney was sued in 1997 when an advertisement for a performance inadvertently left out the "original" part of the name.

Pinkney won, but the suit cost him money and time, Turner said.

Pinkney wanted to come to the subcommittee hearing, but he was sick, Snow said.

The bill has its problems, though.

"You know I am a huge beach music fan," subcommittee chairman Harry Cato, R-Travelers Rest, told Snow and Turner. But the definition of "significant role" in a performing group needs refining, he said.

Kelley Smith, a lobbyist, songwriter, lawyer and beach music enthusiast, said he helped write the bill and the intention is that anyone who sang in a group when it made records would fit the definition.

That would include Ben E. King, who came to the Drifters later, he said.

Rep. Alan Clemmons, R-Myrtle Beach, said he is unsure if the bill conflicts with federal law. Even so, he applauded the measure.

"I think it's a wonderful idea," Clemmons said.

Smith said he tried to avoid conflict with federal law but would like experts in the field to go over the bill.

Turner and Snow said they knew it was too late for passage this year, but the problem has existed for nearly 40 years.

Reviewing the matter was a good start, Snow said.

Contact ZANE WILSON at zwilson@thesunnews.com or 520-0397.



DHEC to field questions about air-quality levels

By Caroline Brustad The Herald

(Published May 16, 2003)

The public can air its concerns next week about smog in South Carolina.

The S.C. Department of Health and Environmental Control will hold a public meeting Monday to discuss new, tighter federal air quality standards.

By July 15, DHEC must submit to the U.S. Environmental Protection Agency the parts of the state it recommends as "nonattainment" -- areas that likely will fall short of new EPA guidelines on ozone pollution. Maps showing possible nonattainment areas can be viewed at www.scdhec.net/baq. The maps have been developed for discussion purposes only.

Ground-level ozone, the main ingredient of smog, is unhealthy to breathe and can damage trees and crops, DHEC officials say. It is formed when nitrogen oxide and other chemicals react to heat. Ozone pollution is especially a problem during South Carolina's summers.

Pollution sources include cars, trucks and buses; coal-fired power plants; gas-powered equipment such as lawnmowers; vapors from paints, glues and solvents; and natural sources like pine trees, according to DHEC.

The Charlotte-Gastonia, N.C.-Rock Hill region recently ranked 10th in a list of America's 25 most-polluted metropolitan areas, according to an American Lung Association study.

Air pollution not only causes health and environmental problems, it also can slow economic growth in areas that don't meet federal air quality standards, county officials say.

In areas with poor air quality, industries can face tighter environmental restrictions, making it less desirable to build or expand. Nonattainment areas also risk losing federal transportation money.

Most S.C. counties, including York, Chester and Lancaster, have signed ozone Early Action Plan compacts, agreeing to try to meet certain air quality milestones -- such as adopting pollution control strategies -- earlier than federally required. The EPA may agree to push back the effective date of nonattainment status for the counties that meet these milestones early, DHEC officials say.

Some strategies for reducing ground-level ozone include buying cleaner fuels and vehicles, requiring better pollution controls at coal-fired power plants, increasing mass-transit options and encouraging targeted tree planting, environmental experts say.

Contact Caroline Brustad at 329-4082 or cbrustad@heraldonline.com.

Want to go?

A public meeting on federal air quality standards will be 1:30 p.m. Monday in Peebles Auditorium, 2600 Bull St., Columbia.

By July 15, the S.C. Department of Health and Environmental Control must submit to the U.S. Environmental Protection Agency the areas it recommends as "non-attainment" -- areas that likely will fall short of new EPA air quality guidelines.

Written or oral comments from the public will be accepted at the meeting. Written comments also can be submitted until June 8 via the DHEC's Bureau of Air Quality Web site, www.scdhec.net/baq, or mailed to: Tonya Lott, S.C. DHEC Bureau

of Air Quality, 2600 Bull St., Columbia, SC 29201.

For information, call Tonya Lott or Henry Phillips at (803) 898-4123.

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Local districts take the heat

(Published May 16, 2003)

It's ironic that local school superintendents are lobbying state lawmakers to give them the opportunity to be villains in the eyes of taxpayers. And yet it may be the only way school districts can fulfill their responsibility to educate students.

Superintendents of the four York County school districts -- Rock Hill, Fort Mill, York and Clover -- asked the area's legislative delegation last week for the option to raise taxes up to 10 mills, four mills beyond the yearly 6-mill cap set by the General Assembly. Members of the delegation gave their approval Wednesday, but the measure still must pass in the full Legislature and could be vetoed by Gov. Mark Sanford, who has made a habit of vetoing local legislation.

School boards have authority to raise taxes up to 6 mills -- equal to an additional \$24 on a \$100,000 home. But with last year's state budget shortfalls and cuts projected for the 2003-2004 academic year, districts are hurting. Rock Hill, Fort Mill and Clover already have predicted that they might have to cut up to 30 instructional and support staff positions because of budget woes.

At this point, superintendents say they have no plans to raise local taxes beyond 6 mills. But, they say, they need that option.

If the four districts do get permission from the General Assembly to raise the cap on local taxes, and needs require a tax hike higher than 6 mills, don't blame local school administrators or board members. They have done everything within reason to trim costs without sacrificing the quality of education at local schools.

Blame state lawmakers who lack the political fortitude to raise the necessary state revenues to support public education. Rather than assume responsibility for maintaining adequate funding, they shift the burden to local districts.

Just be thankful that local school officials have the guts to do what's necessary and face the wrath of taxpayers for the good of the students.

In summary

School superintendents are local heroes in asking for permission to raise taxes.

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MyrtleBeachOnline.com

Posted on Sat, May. 10, 2003

STATE TEACHER OF THE YEAR

Aiken educator wins honor

Fulmer to represent S.C. in national contest

Knight Ridder

An Aiken County elementary school teacher, admired by colleagues for his musical talents and energetic personality, is the new state Teacher of the Year.

Jason S. Fulmer, 26, stepped forward Friday night to accept the honor at a banquet paying tribute to the best teachers in 83 districts across the state.

Julie M. Lovell, a fourth-grade teacher at Forestbrook Elementary School, was a finalist but didn't win. Still, her principal said he is extremely proud of her.

"It's still a winning situation for us," said Forestbrook Principal Johnny Calder. "She'll be back at Forestbrook next year. I'm excited and she is, too, because her heart is really in the classroom."

Had Lovell won, she would have spent a year on sabbatical as a public education ambassador for the state.

"She still got \$10,000, a laptop computer and a set of Michelin [tires]," Calder said. "Not bad."

Horry County still has not had a teacher selected to be S.C. Teacher of the Year.

Fulmer, an educator for four years, is the sixth man to win the state's top teacher honors in the program's 38-year history.

Chuck Long from Charleston was the last man named S.C. Teacher of the Year, in 1986. About 8,000 men teach in S.C. public schools.

Fulmer teaches third grade at Redcliffe Elementary School in Aiken, where he's known for a high-energy approach to his job.

He makes presentations on ways to get parents involved in schools, use of technology in instruction, survival skill advice for first-year teachers and best practices for meeting standards.

Named Feb. 27 as one of five finalists for the award, Fulmer gets a \$25,000 stipend, a laptop computer, a year's sabbatical to serve as roving ambassador for the state's 47,000 educators and use of a BMW sports car.

In what has become a tradition during Inez Tenenbaum's tenure as state education superintendent, the announcement of Fulmer's selection culminated a glamorous evening similar to a televised awards show.

"Jason isn't afraid to experiment," Tenenbaum said. "His classroom is a place of discovery where children feel special. They are his 'stars.' Every day, he acknowledges their differences but helps them to

understand that the world will not be as bright without even one of them."

Gov. Mark Sanford saluted "teachers all across our state who are working to make a difference in the lives of our children."

"I'd like to congratulate Mr. Fulmer, all the district-level recipients and all South Carolina teachers and encourage them to continue their fight as we work together to keep South Carolina home to educational opportunity," the governor said.

Fulmer told the screening committee that picked him he learned early in his career that finding ways to bring academic subjects to life can make a difference in student achievement.

He decided to focus on students with "behavior problems" and concentrate on helping them become examples for others.

"Learning as I teach is essential," he said, "for I feel that an active learner is the best teacher. My kids often thank me for teaching them, but deep inside, I thank them for being my teacher. I want to be that teacher who opens students' minds to ideas not yet imagined."

Fulmer also said teachers must work to improve the perception of them as professionals.

"We must continue to work hard, stay current with research and learn all that we can about teaching in order to grow professionally and meet the needs of our students," he said.

The four other finalists for state Teacher of the Year were: Randolph M. Brooks, a science teacher at Dreher High School in Richland 1; Lovell; Lynn Wilson, a social studies teacher at Seneca High School in Oconee County; and Jerry Robertson, a special education teacher at Forest Acres Elementary School in Pickens. Each received a \$10,000 stipends, a Dell laptop computer and a set of Michelin tires.

Fulmer will represent South Carolina a year from now in the National Teacher of the Year competition.

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Work to continue on road for auto research park

Posted Thursday, May 15, 2003 - 7:46 pm

By John Boyanoski
STAFF WRITER
jboyan@greenvillenews.com

Greenville city officials said Thursday work will continue on \$12 million worth of roads on the site of a proposed automotive research and development park over objections from the state agency that appropriated the funds.

 [e-mail this story](#)

The State Infrastructure Bank recommended the city delay building the three miles of roads at the intersection of Laurens Road and Interstate 85 until plans for the project are completed, according to a letter sent from the agency's attorney to the city.

City Council members met in a closed-door session Thursday night to discuss the research park.

Mayor Knox White said he does not believe the bank's letter is a major problem because it involves technical questions.

"The real ball game is still going on between the developer and Clemson," White said.

The state, Clemson University and Miami-based developer Clifford Rosen have been negotiating a deal for months on the park, projected to bring 20,000 high-tech jobs.

A wind tunnel as well as a Clemson automotive engineering graduate school have been discussed for the 407-acre site, but Gov. Mark Sanford has questioned the private investment in the project.

City Manager Randy Oliver said the state has asked for deed clarification and wants to make sure the roads align with a road expected to be built on another development in the future. He said the city will handle those requests, and the project will move forward.

Oliver said the road's design work is about 75 percent complete, and clearing of the mostly forested land is halfway done. The city has spent between \$300,000 to \$400,000, which it has billed to the state.

Reimbursement is expected later this month, he said.

Designs are expected to be done by mid-June and the land should be cleared by early July, Oliver said. Bids for road construction will go out in June.

The city notes the deal with Rosen's company only calls for a development of a

research park with no mention of Clemson or the wind tunnel, said City Councilman Garry Coulter. Rosen could not be reached for comment Thursday, but city leaders said he plans to go forward with the project. He has bought 146 acres at the intersection.

However, the wind tunnel was a "major inducement" for funding, said state Sen. Greg Ryberg, R-Aiken, a former bank board member who voted against the project. He said Thursday it does not appear the wind tunnel will be part of the project and therefore the state and the city should stop working on the roads.

The letter was sent at the request of the agency's chairman Don Leonard, who could not be reached for comment Thursday.

Infrastructure Bank Board member Ronald Townsend said the board has not met on the issue or discussed whether it will stop funding the city's work, but he believes the road work should be delayed.

"Until we find out more we need to slow down the project," he said.

Rudolph Bell contributed to this article. John Boyanoski covers the city of Greenville. He can be reached at 298-4065.



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Posted on Fri, May. 16, 2003

MLK day supporters to march in Greenville

By **RODDIE BURRIS**
Staff Writer

After flooding County Council meetings for months, supporters of a Martin Luther King Jr. holiday in Greenville County will take to the streets Saturday.

They plan a one-mile "Day of Dignity" march and rally at the Greenville County Square.

Supporters want a permanent, paid holiday in the county honoring the late slain civil rights leader.

The council has refused to go along -- citing the expense of an added holiday -- despite pressure from the Rev. Jesse Jackson, a Greenville native.

Joined by hundreds of local residents, Jackson regularly has attended council meetings since late December. He will lead Saturday's march and rally.

Jackson will be joined by NAACP president Kweisi Mfume and television judge Greg Mathis.

Two months ago, Jackson established a Greenville office of his Rainbow/PUSH Coalition primarily because the county refused to recognize King's birthday.

Organizers did call-ins on a local radio station and have fielded regional media inquiries about the rally, they said. City of Greenville special events coordinator Angie Prosser said the group's protest permit estimates 5,000 people may attend the rally.

Organizers say they are optimistic.

"This will be historic. It's never been done before. And this will be significant, because our voices will be heard," said Devita Mathis, a Greenville Rainbow/PUSH Coalition steering committee member.

Greenville is one of three counties in South Carolina that doesn't recognize King's birthday as a holiday. Lexington and Saluda counties are the others.

In April, Greenville County Council rejected a recommendation to adopt a King holiday made by a study panel that it appointed.

Former president Ronald Reagan signed the King holiday into law in 1986. In 2001, South Carolina became one of the last states to observe the holiday.

Several S.C. counties recently have adopted a paid King holiday, including Union, Laurens, Pickens and Edgefield.

The S.C. House has delayed until June a bill requiring that all counties observe the state's 12 holidays,

including King's birthday and Confederate Memorial Day.

The King holiday controversy also threatens to spill into York County. There, the Charlotte branch of the National Action Network, a civil rights group, says it will call for a boycott of the county if its holiday policy isn't amended to make King's birthday a required day off. County employees now can choose to take the day off.

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King march organizers expect 5,000 Saturday

Posted Thursday, May 15, 2003 - 8:03 pm

By Jason Zacher and Andy Paras

STAFF WRITERS

Thousands are expected to join the Rev. Jesse Jackson and national NAACP President Kweisi Mfume in a march Saturday to protest Greenville County Council's position on a Martin Luther King Jr. holiday.

[e-mail this story](#)

Organizers from Jackson's Rainbow/Push Coalition and the NAACP predict about 5,000 people will march, but there's a possibility it could be more, said Davida Mathis, a Greenville attorney.

"We have no idea and that's the truth," Mathis said. "Whatever the number is it will be enough. It will be enough to be historic. It will be enough to be significant and it will be more than we ever had in Greenville."

The march begins at 1 p.m. at the Greenville County Courthouse and ends at County Square.

Jackson was in Greenville Thursday to raise support for the march. He left late Thursday to rally potential marchers in Greenwood, Aiken and Columbia on Friday.

"We march to stop the secessionist tendencies and move in step with the rest of the nation," he said. "We will march until there's healing. We'll march until there's hope. We'll march until there's joy."

Steve O'Neill, a Furman University assistant professor and Greenville historian, said it is unusual for the community to have a march.

"It's unusual for the times," he said. "I don't think the civil rights issues have been clear-cut enough to warrant this kind of action in a long time. It's a throwback to the 1960s."

O'Neill said Greenville's last large protest march took place on New Year's Day, 1960 when protesters gathered at the Greenville Downtown Airport to protest the treatment of black baseball player Jackie Robinson when he was at the airport a few months earlier.

Robinson was threatened with arrest when he waited in the white waiting room at the airport. Blacks marched from Springfield Baptist Church to the airport.

"It still took a court order in 1961 to desegregate the airport," O'Neill said. "The march rallied the black community, but it was still the federal courts that forced the

desegregation."

There was concern among city officials that the cost of Saturday's march would fall to city taxpayers, who recognize a paid Martin Luther King Jr. holiday. Angela Prosser, the city's special events coordinator, said all of the organizations having an event must pay for those services.

According to the NAACP's permit, it must pay approximately \$900 to hire 15 off-duty Greenville Police officers. It must also reimburse the city for blocking the street with barricades.

Greenville County Councilwoman Michelle Shain said she's with the marchers "in spirit" but was concerned that the march through the city would have a ripple effect on the city.

"Nationally, when you hear Greenville, South Carolina, you don't distinguish between the county and the city," Shain said. "Somebody said to me today, 'I wish we could just hang a banner on City Hall saying we already have the holiday and are proud of it.'"

Mathis said County Square happens to be in the city but they understand the city's concern.

"That's one reason we didn't want to march down Main Street," she said. "We don't have a desire to bring a negative light to the city of Greenville or a negative light to the county of Greenville but we do have to shed some light."

NAACP members worked this week in local neighborhoods, schools and nightclubs to get the message out to young people to join the march, said Paul Guy, president of the NAACP's Greenville chapter.

"We already know older people are going to come out," Guy said. "They understand what this march is about."

Jackson's Thursday visit to Greenville was a trip home to the Jesse Jackson Townhomes — known as Fieldcrest Village when he lived there. He stood on the porch of his mother's old unit, 15-B, and implored the residents to "keep hope alive," oppose the County Council's rejection of a King holiday and attend Saturday's march.

"They say it will cost \$134,000, but we know better," Jackson said. "It is an act of defiance."

Guy said they're expecting turnout from NAACP chapters from all over the Southeast. "If all the branches show up, that's a great number of people," he said.

There will also be church choirs, musicians and T-shirt sales.

"After Saturday, I don't think the county is going to be the same again," Guy said. "Awareness is going to be so high. It will be a definitive day for Greenville."

Jackson hopes the march will spark a new cry for more access to things such as economic and educational opportunity in the South for minorities. If that new movement starts in Greenville, it would be fitting, O'Neill said.

"There was a good bit of direct-action protest in Greenville," O'Neill said. "People think it really started in February 1960 when four students at North Carolina A&T University tried to get a cup of coffee and initiated the sit-ins."

"But a month before that, on the first day of the decade known as the tumultuous 60s, it was in Greenville, not Greensboro where you could argue the direct-action phase of the civil rights movement got its start."

Saturday will be a busy day in Greenville.

Besides the annual Greek Festival and the new, weekly farmer's market, the Armed Forces Day Celebration will go on downtown from 10 a.m. to 12:30 p.m. Organizers expect about 5,000 spectators to line Main Street from the Hyatt Regency to City Hall. That march will have eight to 10 bands, 30 vehicles and five to 10 floats, according to the permit application. There will also be a flyover.

The school district, which is sponsoring the celebration, will pay about \$1,320 hire at least 22 off-duty officers, according to the permit. Lt. Mike Gambrell, Greenville Police spokesman, said more officers are required because of the number of intersections the parade will cross.

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